

CERTIFIED FOR PARTIAL PUBLICATION
COURT OF APPEAL -- STATE OF CALIFORNIA
FOURTH DISTRICT
DIVISION TWO

THE PEOPLE,

Plaintiff and Respondent,

v.

FIDENCIO CARILLO ALVARADO,

Defendant and Appellant.

E049321

(Super.Ct.No. SWF012909)

ORDER MODIFYING OPINION

[CHANGE IN JUDGMENT]

THE COURT

On the court's own motion, the opinion filed July 30, 2010, is MODIFIED as follows:

1. On page 19, in the first sentence of the last paragraph, beginning after the word "unauthorized," insert a comma followed by the phrase "with the exception of the booking fee (Gov. Code, §. 29550, subd. (d)(2))" followed by a comma, so that the sentence reads: The fees imposed in the instant case as conditions of probation were unauthorized, with the exception of the booking fee (Gov. Code, §. 29550, subd. (d)(2)), because they were collateral to defendant's crimes and punishment.

2. On page 21 in the first sentence of the only paragraph under the subheading "6. Disposition," after the semicolon following clause (2), insert "and (3)" before the words "a probation supervision fee" and delete the rest of the sentence, so that the sentence reads: Probation condition Nos. 20 and 21 are modified to delete the requirement that defendant pay, as conditions of probation, the following fees and costs: (1) a court security fee (§ 1465.8); (2) the cost of a presentence report (§ 1203.1b); and (3) a probation supervision fee.

Other than this modification, the opinion remains unchanged.

The modification changes the appellate judgment.

/s/ HOLLENHORST
Acting P.J.

We concur:

/s/ RICHLI
J.

/s/ MILLER
J.